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RICHARD G. AIRLING  
CLERK  
U.S. DISTRICT COURT  
NO. 1 ST. OF CA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN THE MATTER OF:

No CV 10 80263 MISC VRW

Philip Edward Kay,

State Bar No 99830

ORDER

On November 4, 2010, the court issued an order to show cause (OSC) why Philip Edward Kay should not be removed from the roll of attorneys authorized to practice law before this court, based upon his stayed five year suspension by the State Bar of California, with a five year probationary period and actual suspension of three years and various other conditions. The State Bar found Mr Kay had engaged in a panoply of professional misconduct.

The OSC was mailed to Mr Kay's address of record with the State Bar on November 8, 2010. On December 10, 2010, Mr Kay filed an 84-page document with several hundred pages of attachments purporting to be a response to the OSC. This document, notable largely for its vituperation, fails to state any valid reason why, in light of his suspension by the State Bar, Mr Kay should remain on the roll of attorneys allowed to practice before this court.

1 Because eligibility for membership in the bar of this court  
2 is confined to "active member[s] in good standing of the State Bar of  
3 California," Civil L R 11-1(b), Mr Kay is not eligible to practice in  
4 this court while not in good standing of the State Bar.

5 Philip Edward Kay will not be authorized to practice before  
6 this court until such time as he petitions for reinstatement following  
7 his return to good standing of the State Bar of California.

8 IT IS SO ORDERED.

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11 VAUGHN R WALKER  
12 United States District Judge  
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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

In the matter of:

Philip Edward Kay,

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Case Number: CV10-80263 VRW

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 3, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Philip Edward Kay  
736 43<sup>rd</sup> Avenue  
San Francisco, CA 94121

Dated: January 3, 2011

Richard W. Wieking, Clerk  
By: Cora Klein, Deputy Clerk

*Cora Klein*